

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

KIS ET AL.

APPLICATION NO:

FILED: MAY 26, 2000

FOR: PACKAGE FOR A PHARMACEUTICAL PRODUCT

Assistant Commissioner for Patents
Washington, D.C. 20231

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CASE OPV-30969A
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PRELIMINARY AMENDMENT

Sir:

Please cancel Claim 5 and amend claims 1, 3, 4, 6, 9, and 13 - 14 as follows:

1. A package for a pharmaceutical product, particularly a liquid ophthalmic composition, such as an ophthalmic solution, gel or ointment, for example a tube or a dropper bottle assembly used to dispense said product, wherein said package is made of [a specific form of] polypropylene and wherein said package shows after an autoclaving processing of at least 121 °C and for at least 20 minutes no deformation such as shrinkage or blowing-up and retains a sufficient high squeezability in order to dispense said product.

3. Package of claim 1 [or 2], wherein said package comprises a plastic bottle [(2)] for holding said product to be dispensed, a plastic nozzle tip [(3)] for dispensing said product and a cap [(5)] for closing said bottle.

4. A package according to claim 3, wherein said bottle [(2)] having a neck portion [(4)] that includes an externally threaded portion [(15)] and an outer rim which defines an outlet of the bottle, and said nozzle tip [(3)] being in fluid contact with said outlet of said bottle and having an dispensing passageway [(7)] for allowing liquid within said bottle [(2)] to pass out of an outlet [(8)] of said nozzle tip [(3)], and said cap [(5)] having internal threads for engagement with said externally threaded portion [(15)] of said neck portion [(4)].

6. A package according to claim [3 - 5], wherein said bottle [(2)] is made of Appryl 3020 SM 3, the nozzle tip [(3)] is made of Appryl 3020 SM 3, and the cap [(5)] is made of HDPE GC 7260 or of low density polyethylene.

7. A package according to [any of claims 3 to 6] Claim 3, wherein the bottom [(12)] of the bottle [(2)] has a concave configuration.

8. A package according to [any of claims 1 to 7] Claim 1, wherein the wall thickness of the package, particularly the bottle [(2)] is in the range of 0.3 mm to 0.6 mm.

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9. A package according to [any of claims 1 to 8] Claim 1, wherein the wall thickness of the package, particularly the bottle [(2)] is 0.45 mm.

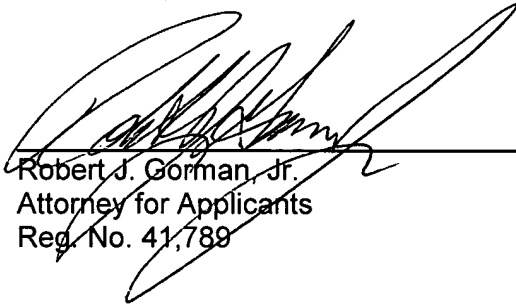
13. Method of claim 10, wherein said package is a [bottle, more preferably a] PP-bottle.

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14. Package of claim [5 - 9] 6, wherein the physical chemical properties of said polypropylene meet the requirements laid down in the supplement of 1998 of the European Pharmacopoeia, 3rd edition (1997).

Respectfully submitted,

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